

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ALI MOSHIR,	)	
	)	CASE NO. 4:17CV1545
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
NEOCC, <i>et al.</i> ,	)	
	)	
	)	<b><u>MEMORANDUM OF OPINION AND</u></b>
Defendants.	)	<b><u>ORDER</u></b>

This case has been transferred from the United States District Court for the Western District of New York. *See* Decision and Order ([ECF No. 2](#)). *Pro Se* Plaintiff Ali Moshir, an inmate at the Northeast Ohio Correctional Center (“NEOCC”) at the time he filed this *in forma pauperis* civil rights action against Defendants NEOCC, Corrections Corporation of America (“CCA”)/Core Civic, Captain Dragovich, the United States Marshals Service, the federal government, the State of Ohio, Mahoning County, Ohio, and Warden, alleges ([ECF No. 1](#)) that Defendant Captain Dragovich assembled false statements and a false report, in which he then used as basis to place Plaintiff in a segregated unit at NEOCC. [ECF No. 1 at PageID#: 5](#). Plaintiff seeks one hundred and fifty million dollars in damages. *Id.*

Plaintiff may not proceed *in forma pauperis* because he has already accumulated three

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strikes pursuant to [28 U.S.C. § 1915\(g\)](#)<sup>1</sup>, and his Complaint does not demonstrate that he is or was at the time he filed his Complaint in imminent danger of serious physical injury. *See* [28 U.S.C. § 1915\(g\)](#) (prohibiting a prisoner who has accumulated three or more strikes under the statute from bringing any civil action *in forma pauperis* “unless the prisoner is under imminent danger of serious physical injury”).

Accordingly, Plaintiff’s application to proceed *in forma pauperis* is denied, and this action is dismissed without prejudice pursuant to [28 U.S.C. § 1915\(g\)](#). If Plaintiff wishes to proceed with this case, he must pay the full filing fee of \$400 and file a motion to re-open. The Clerk’s Office is directed not to accept a motion to re-open, or any additional documents for filing in this case, unless the filing fee is paid in full.

The Court further certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

November 22, 2017  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge

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<sup>1</sup>*See* [Moshir v. NEOCC, et al.](#), Case No. 4:17CV1106 (N.D. Ohio Aug. 31, 2017)(Pearson, J.); [Moshir v. Valentine, et al.](#), Case No. 4:17CV1459 (N.D. Ohio Aug. 31, 2017) (Pearson, J.); [Moshir v. NEOCC, et al.](#), Case No. 4:17CV1480 (N.D. Ohio Oct. 13, 2017) (Pearson, J.).